

1 THOMAS E. FRANKOVICH (State Bar No. 074414)
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3 ***A PROFESSIONAL LAW CORPORATION***
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5 | Attorneys for Plaintiff CRAIG YATES

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

20 Pursuant to Local Rule 6.1(a), Plaintiff CRAIG YATES, and Defendants ORIGINAL
21 WINGS, CORPORATION (erroneously sued as THE UNG CORPORATION, dba ORIGINAL
22 BUFFALO WINGS); PATRICIA MONTAGUE, an individual; and PATRICIA MONTAGUE,
23 as trustee of the PATRICIA MONTAGUE FAMILY TRUST of 2004, by and through their
24 respective counsel, respectfully request and make the following stipulation:

25 1. Whereas, defendants have been served with the summons and complaint; and
26 2. Whereas, defendants have retained counsel and requested additional time to
27 respond to plaintiff's complaint; and

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STIPULATION EXTENDING TIME FOR DEFENDANTS TO RESPOND TO PLAINTIFF'S COMPLAINT
CV-10-3582-EMC

1 3. Whereas, the parties are currently trying to negotiate a settlement in the above-
2 referenced case, and wish to reduce fees, costs and litigation expenses in so doing; and

3 4. Whereas, the parties conducted the General Order 56 joint site inspection at
4 ORIGINAL BUFFALO WINGS, located at/near 2499 Lombard Street, San Francisco, California
5 on November 11, 2010; and

6 5. Whereas, the parties believe it would be in the interests of efficiency and economy
7 to extend the deadline for defendants ORIGINAL WINGS, CORPORATION (erroneously sued
8 as THE UNG CORPORATION, dba ORIGINAL BUFFALO WINGS); PATRICIA
9 MONTAGUE, an individual; and PATRICIA MONTAGUE, as trustee of the PATRICIA
10 MONTAGUE FAMILY TRUST of 2004 to respond to the complaint, and to allow time to
11 negotiate an agreement; and

12 6. Whereas, plaintiff has agreed to grant additional time for defendants ORIGINAL
13 WINGS, CORPORATION (erroneously sued as THE UNG CORPORATION, dba ORIGINAL
14 BUFFALO WINGS); PATRICIA MONTAGUE, an individual; and PATRICIA MONTAGUE,
15 as trustee of the PATRICIA MONTAGUE FAMILY TRUST of 2004 to respond to the
16 complaint; and

17 7. Whereas, defendants' counsel further stipulate that defendants will comply with
18 any and all due dates dictated by the Federal Rules of Civil Procedure, the Local Rules of Court,
19 and/or any scheduling order issued by this court prior to the date on which defendants' responsive
20 pleading is due.

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1 **IT IS STIPULATED:**

2 That the last day for defendants ORIGINAL WINGS, CORPORATION (erroneously sued
3 as THE UNG CORPORATION, dba ORIGINAL BUFFALO WINGS); PATRICIA
4 MONTAGUE, an individual; and PATRICIA MONTAGUE, as trustee of the PATRICIA
5 MONTAGUE FAMILY TRUST of 2004, to answer or otherwise respond to plaintiff's complaint
6 shall be extended up to and including January 4, 2011.

7 Respectfully submitted,

8 Dated: November 15, 2010

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10 THOMAS E. FRANKOVICH,
11 **A PROFESSIONAL LAW CORPORATION**

12
13 By: _____/s/
14 Thomas E. Frankovich
15 Attorneys for Plaintiff CRAIG YATES, an
16 individual

17 Dated: November 15, 2010

18 BRENDA CRUZ-KEITH,
19 **LAW OFFICES OF BRENDA CRUZ-KEITH**

20
21 By: _____/s/
22 Brenda Cruz-Keith
23 Attorneys for Defendant ORIGINAL WINGS,
24 CORPORATION (erroneously sued as THE UNG
25 CORPORATION, dba ORIGINAL BUFFALO
26 WINGS)

27 Dated: _____, 2010

28 JEFFREY HARTSFIELD BELOTE,
MORRIS POLICH & PURDY LLP

29
30 By: _____
31 Jeffrey Hartsfield Belote
32 Attorneys for Defendants PATRICIA MONTAGUE,
33 an individual; and PATRICIA MONTAGUE, as
34 trustee of the PATRICIA MONTAGUE FAMILY
35 TRUST of 2004

1 **IT IS STIPULATED:**

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4 MONTAGUE, an individual; and PATRICIA MONTAGUE, as trustee of the PATRICIA
5 MONTAGUE FAMILY TRUST of 2004, to answer or otherwise respond to plaintiff's complaint
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8 Dated: November 15, 2010

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10 THOMAS E. FRANKOVICH,
11 *A PROFESSIONAL LAW CORPORATION*

12
13 By: _____/s/
14 Thomas E. Frankovich
15 Attorneys for Plaintiff CRAIG YATES, an
16 individual

17 Dated: _____, 2010

18 BRENTA CRUZ-KEITH,
19 *LAW OFFICES OF BRENTA CRUZ-KEITH*

20
21 By: _____
22 Brenda Cruz-Keith
23 Attorneys for Defendant ORIGINAL WINGS,
24 CORPORATION (erroneously sued as THE UNG
25 CORPORATION, dba ORIGINAL BUFFALO
26 WINGS)

27 Dated: 11/15, 2010

28 JEFFREY HARTSFIELD BELOTE,
MORRIS POLICH & PURDY LLP

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30 IT IS SO ORDERED
31 *J. Hartsfield Belote*
32 By: Jeffrey Hartsfield Belote
33 Attorneys for Defendants PATRICIA MONTAGUE,
34 MONTAGUE, and PATRICIA MONTAGUE, as
35 trustee of the PATRICIA MONTAGUE FAMILY
36 TRUST of 2004
37
38 Edward M. Chen
39 U.S. Magistrate Judge